

REMARKS

Claims 44-68 and 70-121 are pending in this application. By this Amendment, claims 44-68, 70-95, 102, 108, 112 and 114 are amended, dependent claims 116-121 are added, and claim 69 is canceled. The claims are amended for clarity and conciseness. No new matter is added.

Applicants note with appreciation the allowance of claims 71-115, and the identification of allowable subject matter in claims 46-50, 55-59 and 64-68. Applicants submit that all pending claims are in condition for allowance.

Claims 44, 45, 51-54, 60-63, 69 and 70 stand rejected under 35 U.S.C. §102(e) over US 2005/0068499 to Dodoc et al. This rejection is respectfully traversed.

Dodoc et al. does not qualify as prior art against this application. The present application is a U.S. National Stage of PCT/JP03/010665 filed August 22, 2003. Accordingly, the present application has a U.S. filing date of August 22, 2003. See 35 U.S.C. §363. Dodoc et al. has a U.S. filing date of August 13, 2004 and thus is not a reference against the present application. Applicants note that Dodoc et al. is a continuation of a PCT application that was filed on May 28, 2004. Even if Dodoc et al. was entitled to the May 28, 2004 filing date of its corresponding PCT application, that date is after Applicants' U.S. filing date. Moreover, because the Dodoc et al. corresponding PCT application (WO 2004/107048) published in the German language on December 9, 2004, Dodoc et al. is not entitled to using its PCT filing date under 35 U.S.C. §102(e) and the published PCT application also published after Applicants' effective U.S. filing date. Withdrawal of the rejection is requested.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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MAC:lmf

Attachments:

Petition for Extension of Time
Amendment Transmittal

Date: November 14, 2006

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